

ADAMS COUNTY UTILITY POLICY

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INTRODUCTION

A. OVERVIEW OF UTILITY ACCOMMODATION

The Adams County Highway Department constructs, operates, and maintains the County Trunk Highway System. Utility companies provide service to major centers of population as well as to individual users. Both the department and utility companies typically provide facilities that consider future as well as present needs. Cooperation between these two entities is essential if the public is to be served at the lowest costs consistent with the respective public service needs, obligations, and interests.

B. PRIMARY PURPOSE OF THE COUNTY TRUNK HIGHWAY SYSTEM

The primary purpose of the County Trunk Highway System is to provide a safe and convenient means for the vehicular transportation of people and goods. Any permitted use and occupancy of highway right-of-way for non-highway purposes is subordinate to the primary interests of the traveling public.

C. PURPOSE OF THE UTILITY ACCOMMODATION POLICY

The purpose of this document is to prescribe the policies and procedures that shall be met by any utility whose facility currently occupies, or will occupy in the future, any County Trunk Highway or bridge over which the department has maintained jurisdiction.

D. UTILITY ACCOMMODATION

1. Permits

It is the policy of the department to permit utility facilities on County Trunk Highways when:

- a) Such use and occupancy does not adversely affect the primary functions of the highways or materially impair their safety, operational, or visual qualities,
- b) There would be no conflict with the provisions of federal, state or local laws or regulations or the accommodation provisions stated herein, and
- c) The occupancies would not significantly increase the difficulty or future cost of

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highway construction or maintenance.

2. Additions

Nothing in this policy shall be construed as limiting the rights of the department to impose restrictions or requirements in addition to and/or deviations from those stated herein in any permit where the department deems it advisable to do so. An appropriate explanation for such action should be provided to the utility.

3. Alterations

The permitted facilities shall, if necessary, be altered by the utility to facilitate alteration, improvement, safety control, or maintenance of the highway as may be ordered after permit approval. All costs for constructing, maintaining, altering, and relocating the permitted facilities shall be the obligation of the applicant, unless a specific county-executed utility parcel or agreement otherwise provides.

If the utility encounters a hardship during installation that prevents installation in accordance with the permit, the utility may (at the risk of having to move the installation) make changes to permitted installation. The department has final determination as to the validity of the hardship. If the department determines that the changes were made due to the installers preference, and not due to hardship, the utility will take action within 10 days to correct such alterations. For clarification purposes: hardships are solid rock, uncrossable swamps, cemeteries, or similar circumstances that make construction physically or economically unfeasible.

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DEFINITIONS

A. GENERAL DEFINITIONS

Unless otherwise provided herein, the definitions accepted by the American Association of State Highway and Transportation Officials (AASHTO) shall prevail.

B. SPECIFIC DEFINITIONS

1. Clear Zone

That portion of the right-of-way free of nontraversable hazards and fixed objects. These areas provide drivers a reasonable opportunity to stop safely or otherwise regain control of their vehicle when it leaves the traveled way. The clear zone generally varies with the type of highway, terrain traversed, road geometrics, and operating conditions.

Chapter 11 of the Wisconsin Department of Transportation Facilities Development Manual shall be used as the guide for establishing clear zones.

2. Department

Adams County Highway Department

3. Emergency Utility Work

Unforeseen action by a utility deemed necessary to restore an existing utility facility to protect the general public.

4. Expressway

A divided highway with limited access control and generally with grade separations at major intersections.

5. Freeway

A divided highway with full access control and with grade separations at all intersections.

6. Highway(s)

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All County Trunk Highways designated by letter existing now or added in the future.

Note: The department's Official State Trunk Highway System Maps denote all connecting highways within Wisconsin. Call (608) 266-2782 for more information.

7. Permit

The document, by which the department grants a utility permission to work within, use, occupy, or cross the highway.

8. Pipeline

A utility facility installed to carry or convey a fluid, gas, or other material, generally underground, including the casing and the carrier.

9. Private Lines

Facilities that convey or transmit commodities as defined by utility (see #13), but are owned and operated by an individual(s) or non-utility business.

10. Responsible Person

A person having control over a utility project that is not administered by the department.

11. Right-of-Way

A general term denoting acquired interests or rights in land (either all or partial) that are necessary to build, maintain, and operate a highway facility. It is not just a fee interest or a permanent highway interest but encompasses all necessary rights of both a permanent and temporary nature.

12. Traveled Way

The portion of the roadway for the movement of vehicles

B. SPECIFIC DEFINITIONS (CONTINUED)

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which includes auxiliary lanes and ramps but excludes the shoulders. The traveled way usually lies between the edge-line striping

13. Utility

Any corporation, company, individual or association, including their lessees, trustees, assigns, or receivers, or any sanitary district, cooperative association, town, village or city that owns, operates, manages or controls any plant for fixed equipment within Marathon County for a transmission of communications or the conveyance, production, storage, transmission, sale, delivery or furnishing of electrical power, light, heat, fuel, gas, oil, petroleum products, water, steam, fluids, sewerage, drainage, irrigation, or similar facilities. This definition also includes the owners or operators of cable television systems, publicly owned fire or police signal systems, traffic and street lighting facilities or privately owned facilities which perform any of the utility functions above.

14. Utility Construction

Any use by a utility of labor or materials to install or to provide for the installation of a new or upgraded utility line or to replace all or a significant portion of an existing line.

15. Utility Lines

a) Transmission Line

A utility line with moderate capacity that generally carries the product from the source to the distribution network.

b) Distribution Line

A utility line with moderate capacity that distributes the utility product from a transmission line to points convenient for their customers. An additional term for a distribution line is “trunk”.

c) Service Line

A utility line that serves a single customer via a connection with a distribution line. Additional terms for a service line include “lateral” and “drop”.

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16. Utility Maintenance

Any use by a utility of labor or materials for repairs or replacement of parts of an existing utility line to retain its use as intended, limited to the work types as further defined herein.

17. Utility Operation

Any activity by a utility to assure the function of an existing utility for its intended purpose.

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INDEMNIFICATION

The following shall be a condition of all utility permits:

The Applicant shall save and hold the Department its officers, employees, and agents harmless from all liability, damage, loss, expense, claims, demands, and actions of any nature whatsoever arising out of any acts or omissions of Applicant in any way connected with the work to be performed pursuant to this permit, or the construction or maintenance of facilities by the Applicant, in the Department right-of-way which is subject of this permit. Notwithstanding the foregoing, Applicant shall not be obligated to indemnify the Department or its officers, employees, or agents for that portion of any liability, damage, loss, expense, claims, demands, or actions caused by the negligent, wanton, intentional, or otherwise wrongful acts or omissions of the Department, or its officers, employees, or agents.

The Department remains responsible for issues relating to road design but will not incur liability on behalf of Utility simply by granting a permit unless the grant of that permit is otherwise negligent or improper.

Applicant shall mean the individual or entity which will own the utility facility which is to be placed in the County right-of-way.

GENERAL PROVISIONS

A. AUTHORITY

The Department regulates the use, occupation, and utility accommodation of the county trunk highway system under sec. 66.047, 84.08, 85.15, 86.07, 86.16, and 182.017, Wis. Stats.

B. DESIGN RESPONSIBILITY

The utility shall be responsible for the design of the utility facility to be installed or adjusted within the right-of-way. The department shall be responsible for review of the utility's proposal and for permit approval.

C. BURIED LINE LOCATION NOTIFICATION

Each applicant for a permit to work on a Department's highway shall provide a reliable line-locate notification service by either or both of the following means:

1. If the Applicant has membership in a one-call utility notification service, it shall enter the current telephone number(s) for the service on the face of each Department permit

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application. The applicant shall also provide written notification to the Department upon or in advance of any subsequent changes in the one-call contact information such as cessation of membership, changes in the contact telephone number(s), etc.

2. If the Applicant lacks membership in a one-call utility notification service at the time of applications for a Department permit, or has membership but desires to provide a second resource for line locates, they shall:
 - a. Provide operational area maps which accurately specify the area(s) in which the applicant has lines or a franchise to install lines. A minimum of one such map shall be furnished to the Department. The Applicant shall advise the Department of any future changes in its operational area(s), and supply updated maps showing the current conditions, and
 - b. Enter on the face of each permit application the current telephone number(s) to be called to obtain specific line locates from the applicant. The Applicant should notify the Department of any change to these telephone numbers.

D. UTILITY FACILITY CONDITION REQUIREMENTS

All utility facilities shall be kept in good state of repair both structurally and from the standpoint of appearance.

SPECIFIC PROVISIONS

A. EMERGENCY WORK

Emergency situations may arise when immediate action to protect the safety of the general public requires utility operations within a County trunk right-of-way which are not in full compliance with the provisions of this Policy. Nothing herein shall be construed as requiring a utility to delay such emergency repair.

Emergency repairs may be performed within the right-of-way when physical conditions or time considerations prevent application for the usual permit. However, as soon as feasible, the utility shall advise the County of the emergency, its plans or actions for alleviating the dangerous situations, and arrangements made for control and protection of traffic affected by its proposed operations. When this policy requires a permit for such work, a permit shall be obtained as soon as possible and any alterations deemed necessary through the permit approval process shall be made.

B. CHEMICAL TREATMENT AND CUTTING OF TREES

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The utility shall be prohibited from chemical treatment or cutting of trees on highways without a permit from the department. The permit application shall provide the area intended to be sprayed, the schedule in which the work is to be completed, and the chemical and application rate. Cutting of trees in conjunction with activities listed as maintenance in Communications, Section E (1 thru 29); Electric, Section F (1 thru 37) and Fluids and Gases, Section G (1 thru 18) do not require a permit. The utility shall provide the Department with MSDS sheets for chemicals being used along with an annual spraying plan.

C. DRAINING WETLANDS

The installation of privately owned lines or conduits on the right-of-way for the purpose of draining wetlands is prohibited.

ABANDONED FACILITIES

A. ABOVE GROUND FACILITIES

If a utility discontinues use of an above ground facility, the facility shall be entirely removed from the right-of-way within one year after its use is discontinued unless written approval for a time extension is granted by the department or a proper permit is requested and approved by the Department for sale to another utility.

B. UNDERGROUND FACILITIES

Effective January 1, 2000, a record of underground utility facilities abandoned in the right-of-way shall be maintained in a utility's permanent files until the facility is completely removed from the ground. The record should be of similar quality and detail as any other map or plan submitted to the Department for permit approval. The utility will take steps that it deems necessary to be able to locate abandoned facilities in the future to an accuracy of + 5 feet. If a utility facility is to be abandoned as a part of a permit for a new facility, it shall be field located and shown on the permit request for the new facility.

Upon request by the Department, each utility shall provide on a map, acceptable in size the format to the Department, the approximate location of abandoned facilities. A utility shall update the map annually if requested by the Department. The utility may place a disclaimer on the abandonment map stating:

“The locations on this map cannot be relied upon for any purpose except general information and

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planning that an abandoned utility facility is in the right-of-way. The user remains obligated to call Digger's Hotline at least three working days prior to any excavation. All utility facilities uncovered in the right-of-way shall be handled as active or energized until confirmed by a utility representative that it is an abandoned or temporarily de-energized facility."

When an unidentified utility facility is exposed or damaged, the Department shall call the utility to have a representative visit the site and identify it facility. The utility should physically respond to the site, if required, or contact the Department's representative within two hours, and shall physically respond to the site within six hours after notification, if required. This paragraph does not waive the utility's rights under ss. 182-0175.

The Department shall not require a utility to physically remove any abandoned underground facility so long as a permanent record of it is maintained, and if it does not prevent the construction or modification of any highway improvement and/or structure. However, abandoned appurtenant facilities such as manholes and pull boxes shall be filled in or removed in accordance with the Wisconsin Department of Transportation's Standard Specifications for Road and Bridge Construction, current edition.

C. STRUCTURE ATTACHMENTS

Utility facilities abandoned on a structure shall be removed within 60 days of the abandonment unless otherwise approved by the Department. All removal costs shall be the responsibility of the utility.

COMPLIANCE

A. AUTHORITY

Representatives of the Department have the authority to enforce the Utility Accommodation Policy and those specific provisions related to individual utility permits. These representatives (a.k.a. inspectors) include the county highway commissioner and his/her designee. It also includes the project engineer when utility permits are part of construction projects.

All utilities, including all consultants, contractors, and subcontractors working for utilities, are required to abide by the Policy and those specific provisions related to individual utility permits.

A County policy adopting this "WCHA Utility Accommodation Policy" and noting exceptions shall precede it.

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The Utility must first appeal to the permit reviewer, Highway Commissioner, and the County Highway Committee with assistance of their Corporation Counsel. In the final appeal process under Section 82.07(3) the utilities can appeal to WisDOT if they feel a county is not treating them fairly.

B. FAILURE TO COMPLY

Failure of a utility to comply with the provisions of this policy and/or their permit shall be cause for department action. At the department's option, any or all of the following measures may be taken:

1. Verbal Request for Corrective Action

The request shall include:

- a) The reason(s) why the present or completed operation is (was) not in compliance with the provisions of the policy and/or permit.
- b) What steps shall be taken to correct the situation, and
- c) What additional action may be taken if step b is disregarded (items 2 through 7 listed as follows).

2. Written Reprimand

A written reprimand shall be sent to the utility/person for violating the provisions of the policy and/or their permit when the utility does not comply with the verbal request.

The written reprimand shall contain the same information as the verbal request and shall serve as documentation for the violation. The Department shall be responsible for writing and sending this reprimand.

3. Suspension of Work Activities

If a responsible person of an inspected work site fails to comply with a verbal request, the representative may order the suspension of all work activities at the site. If this occurs, the Highway Commissioner shall be informed of the situation.

If the county highway commissioner cannot be contacted, the patrol supervisor,

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engineer, or permit coordinator shall be notified.

The department shall then contact an authority of the utility to explain why the operation was suspended and what action needs to be taken before any activity can resume.

4. Removal of Installed Facilities

Any facility installed by a utility shall be in the location shown on the approved permit. If such a facility is discovered in an **unacceptable** location and the utility is notified, the utility shall have two weeks' response time to decide on its corrective action. If the utility fails to take corrective action, the Department shall take action to have that facility relocated or removed at the utility's expense.

The permittee shall remove the improperly placed facility and put it in an approved location. If the utility fails to relocate its facility, the Department shall have the facility removed and bill the permittee for such work.

5. Permit Revocation

When a utility continues to be in noncompliance with the Policy or its permit provisions, the department may revoke the utility's permit. The utility may reapply for a permit to the Highway Commissioner when they can demonstrate a good faith effort to comply.

6. Public Service Commission (PSC) Notification

Continued violations by a utility of this policy and/or the provisions of their permits may cause the department to notify the PSC and request its assistance in correcting the situation.

7. Withholding Approval of Future Permits

Continued violations by a utility of this policy and/or the provisions of their permits may cause the department to withhold approval of permit applications for that utility until the violations are corrected to the satisfaction of the department. The severity and number of written reprimands against a utility shall serve as a guide in determining future permit approval.

C. PROCEDURES

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1. Inspection of Work

Upon reaching a work site, the representative shall locate a responsible person and ask to review and discuss the operation. If applicable, a review of the permit shall also be performed. A copy of the permit must be on the job site.

If the representative decides that changes to the operation are needed to bring it into compliance with the provisions of the policy and /or permit, then a verbal request is the first corrective measure which shall be taken.

2. Inspection of Completed Work

After a permitted operation has been completed, the utility is required to notify the Department that work on the permit is complete and the job site is subject to an inspection by the Department. If the work was done in violation of the Policy or the provisions of a utility's permit, then a verbal request is the first corrective measure which shall be taken [see (B)(1)]. The utility shall have two weeks' response time to decide on its corrective action.

D. IMMEDIATE ACTION (WORK IN PROGRESS)

When a utility operation or installation is not in compliance with the provisions of the policy and/or their permit and is adversely affecting public safety, the representative must take action immediately.

If a responsible person refuses to comply with the verbal request and does not take immediate corrective measures to ensure public safety, the representative shall then call the local law enforcement agency to have the utility and/or its contractor(s) removed from County right-of-way. The representative shall also take corrective measures to return the highway to a safe operating condition.

ENVIRONMENTAL CONDITIONS

A. INTRODUCTION

B. DEPARTMENT RESPONSIBILITY

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C. UTILITY RESPONSIBILITY

D. SITE ASSESSMENT

E. DISCOVERY OF ENVIRONMENTAL CONDITIONS

F. UTILITY FACILITY PLACEMENT OPTIONS

G. FINANCIAL RESPONSIBILITY

“Assessed” area, in this policy, means the area within the right-of-way, which has been investigated according to the length, width, and depth detailed in the assessment reports(s).

1. If a utility discovers environmental conditions while operating in an area which has been assessed by the department and reported to be clear, then the utility shall not be financially responsible for any additional assessments, mitigation and/or remediation provided it has shut down work immediately and provided notice as required in section E of this policy. However, the utility shall be financially responsible for the prompt and proper handling of contaminated excavated material.
2. Upon discovery of any of the environmental conditions listed below, the utility that was responsible for conducting its own site assessments has the following associated financial responsibilities:

a) Archeological\Historical Sites

When an archeological and/or historical site is discovered by a utility, the utility may do one or both of the following:

- 1) Conduct a site assessment at its own expense. Any mitigation expense shall also be borne by the utility.
- 2) Submit, for department approval, a revised permit application that avoids the site.

b) Contaminated Sites, USTs, LUSTs, Etc.

When contamination, USTs, LUSTs, etc. are reported to the DNR, the DNR will order the owner of the source or other responsible party to undertake remediation. However, the utility shall be financially responsible for the prompt and proper

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handling of contaminated excavated material.

- 3) If the department is not the responsible party, then the utility which incurs any costs due to site contamination on the right-of-way will have to recover from the responsible party.
- 4) If the department is the responsible party:
 - a) A utility that ceases its operation immediately upon the discovery of these conditions and takes the necessary steps to notify the proper authorities shall not be financially responsible for the assessment and remediation costs except the prompt and proper handling of contaminated excavated material.
 - b) A utility that discovers these conditions and does not cease its operation immediately remains financially responsible for the costs of assessment and/or remediation.

PERMIT REQUIREMENTS

A. NEED FOR A PERMIT

A utility shall obtain a permit from the department before any use or occupancy of County highways is allowed.

B. PERMIT AUTHORIZATION TO USE AND/OR OCCUPY RIGHT-OF-WAY

By issuance of a permit, the department formally indicates that, subject to all applicable permit conditions, a specified use and/or occupancy of right-of-way is not adverse to the highway interests at the time of the permit approval.

The department does not warrant that public title to the right-of-way is free and clear, does not certify that it has sole ownership, and does not indicate any intention to defend the utility in its peaceful use and occupancy of said lands.

The permit does not transfer any land; nor give, grant or convey any land right, right in land, or easement.

Written authorization from the department does not relieve the utility from compliance with all applicable federal and state laws and codes, and local laws and ordinances which affect the design, construction, materials, or performance of the work. The department's authorization shall not be construed as superseding any other governmental agency's more restrictive requirements.

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Each permit shall be required to have the department's standard indemnification language (policy 96.03) as part of the overall document.

The utility should retain a copy of the permit in their files during the entire time the facility is located on, over, or under County Trunk Highway right-of-way.

REQUIRED INFORMATION

A. GENERAL POLICY

A utility's request to use and occupy the right-of-way cannot be considered until adequate information is provided. The amount of detail will vary with the complexity of the installation and highway involved, but must include the appropriate permit form, drawings or sketches, and installation information so that the effect on the highway operation, traffic safety, and visual qualities can be evaluated.

B. PERMIT APPLICATION FORMS

Utilities shall only use the single-page, triplicate permit application forms which are made by the department and available from the County Highway Department. Alteration of the permit form by the applicant is prohibited and shall be cause for application rejection or permit revocation.

One original, with attached copies, of the permit form shall be submitted per application to the Highway Department via regular mail, courier service, or delivered in person.

The telephone number of the applicant shall be included on each permit form.

The current permit form is shown in the appendix.

The use of Faxed applications is acceptable if drawings are 8 ½ X 11 and legible, or time is of the essence. Original permit forms are preferred.

C. PERMIT DRAWINGS

Each permit application shall contain adequate drawings showing the existing and/or proposed location of all utility facilities within the right-of-way with respect to the existing highway or any planned highway improvement. The details shall include dimensions from the proposed utility installation to the commonly accepted right-of-way line and to the edge

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of the traveled way. For highway crossings, a cross-section detail showing depths of bury or overhead clearance is required along with the location of any bore pits (if needed). A distance reference from the crossing to the nearest public roadway intersection is also required, (e.g. approximate distance from the proposed facility to side road intersection, county line, etc.) shall be submitted with all permit drawings.

D. INSTALLATION INFORMATION

The utility shall provide installation information:

1. This information shall include, but is not limited to, a general description of the location, size, type, nature, and extent of the utility facilities to be installed or to be adjusted, and the impact on the utility's existing facilities to remain in place within the right-of-way.
2. The department may require the utility to provide a description of proposed construction procedures, special traffic control and protection measures, proposed access points, coordination of activities with the highway contractor, and/or vegetation to be removed.
3. When an attachment to a structure is proposed, additional information is required. This information should include, but not be limited to, bridge number, weight of lines, hanger spacing, hanger details, and expansion/contraction details.

See "Installation of Structures" for additional requirements regarding structure attachments.

E. METRIC\ENGLISH UNITS

Although the department may be working with the Metric System in the future, English units or English units followed by metric equivalents in parenthesis should be used on all permit forms. After the department's formal conversion to the Metric System, this section may be changed to reflect new metric permit requirements.

H. FEES

Annual Maintenance Permit	\$200.00
Permit Application & Review Fee	\$ 25.00
Inspection Fee per Permit*	\$ 50.00
Open Cuts Across Paved Roadways**	\$250.00

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* Inspection fee is not required for spraying and trimming permits.

** Open cuts also require a performance bond of \$5,000.00 to cover road repair.

Municipalities waived from all fees; however, a permit is still required.

LOCATION REQUIREMENTS

A. GENERAL LOCATION

Utility facilities shall be located in such a manner in order to minimize the need for later adjustment to:

1. Accommodate proposed highway improvements.
2. Permit servicing or expanding such lines without obstruction or interference to the free flow of highway traffic.
3. Provide adequate vertical and horizontal clearance between an underground utility facility and a structure or other highway facility to allow maintenance of all facilities.
4. Be outside of the 45-degree cone of support for the footings of all highway structures.

B. CROSSING LOCATION

Utility facilities shall cross the highway on a line as nearly perpendicular to the highway alignment as possible.

Conditions that are generally unsuitable or undesirable for underground crossings should be avoided. Crossing locations to be avoided include:

1. Deep cuts.
2. Near footings of bridges and retaining walls.
3. Across highway intersections at grade or ramp terminals.
4. At cross drains where the flow of water may be obstructed.

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5. Within basins of an underpass drained by a pump.
6. In wet or rocky terrain where it will be difficult to attain minimum bury.

C. UNDERGROUND LONGITUDINAL LOCATION

The longitudinal location of underground utility facilities within the right-of-way shall provide as much clearance from the traveled way as conditions will allow. Such lines shall be on uniform alignment and be located at or as near as practical to the right-of-way line. To maintain a reasonable uniform utility alignment, location variances may be allowed when irregular-shaped portions of the right-of-way extend beyond the normal right-of-way limits. No utility lines are allowed in the ditch bottom or on the inslope.

D. ABOVE GROUND LONGITUDINAL LOCATION

The longitudinal location of above ground utility facilities shall be outside of the clear zone. Such lines shall be on a uniform alignment and be located at or as near as practical to the right-of-way line. Exceptions may be granted when no other location is feasible or when the clear zone extends to the right-of-way line.

If any above ground utility facility is within the clear zone or is determined to be in a location that has a higher than average accident potential, the department may require:

1. The utility facility to be approved yielding or breakaway construction, or
2. The utility facility to be protected by a department-approved barrier such as beam guard, crash cushion, etc.

To maintain a reasonably uniform utility alignment, location variances may be allowed when irregular-shaped portions of the right-of-way extend beyond the normal right-of-way limits.

E. EXISTING UTILITIES

When a utility facility exists within the right-of-way of an existing or proposed highway, it may remain provided it does not adversely affect highway safety based on sound engineering judgement and economic considerations. The existing facility shall be relocated if:

1. It conflicts with any construction or maintenance activities, or
2. It is located longitudinally under the pavement or shoulder for a reconditioning or reconstructed project.
3. Is found to not be within accepted standards for depth of bury, or overhead clearance

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or in locations not acceptable to the department.

Exceptions may be granted for 1 and 2 above based on sound engineering judgement and economic considerations.

F. SUBSURFACE UTILITY ENGINEERING

The department approves the use of subsurface utility engineering (SUE) to locate buried facilities. Any utility installation using SUE shall be noted on the permit form.

APPURTENANCES

A. GENERAL POLICY

Appurtenant facilities such as pedestals, manholes, vents, drains, rigid markers, valve and regulator pits, etc. should be located outside of the clear zone and near or at the right-of-way line. Manholes, valve pits, etc., should be installed so that their uppermost surfaces are flush with the adjacent undisturbed surface.

B. BUILDINGS

Buildings shall not be located on the right-of-way.

C. CABINETS

Cabinets should not be located on the right-of-way. When cabinets are allowed on the right-of-way they shall be placed at a location not vulnerable to an errant vehicle and at or as near as practical to the right-of-way line.

D. MANHOLES

Manholes shall not be located in the pavement and should not be located in the shoulders of heavily traveled highways. Exceptions may be made on highways where manholes are essential parts of existing lines. New manhole installations shall be avoided at the intersection of traveled ways.

VERTICAL LOCATION

Note: See appendix for a graphic representation of this policy.

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A. UNDERGROUND

The depth of bury for underground facilities within the right-of-way shall be a minimum of 610 millimeters (24 inches), as measured from the finished ground surface to the top of the facility at the time of installation.

The depth of bury for underground facilities crossing the highway shall be a minimum of 760 millimeters (30 inches) as measured from a straight line connecting the lowest points of the finished ground or pavement surface on each side of the right-of-way to the top of the facility at the time of installation.

Where minimum bury is not feasible, the facility shall be routed or protected with a casing, concrete slab, or other suitable measures. In solid rock, the depth of bury may be reduced if adequate protection is provided. All utilities shall obtain prior approval from the department before burying any facility less than the minimum depth required.

B. OVERHEAD

Vertical clearances for overhead facilities shall comply with all applicable state and national electrical codes. In all cases, facilities crossing over the highway shall at no time be less than those shown in Table 232-1, Column 1, National Electrical Safety Code C2-1997 and its subsequent future revisions as approved and accepted in the Wisconsin Electrical Code.

INSTALLATION ON STRUCTURES

A. GENERAL POLICY

Attachments to structures should be avoided. However, attaching utility lines to highway structures may be permitted when they do not materially affect the:

1. Structure design and appearance,
2. Safe operation of traffic, and
3. Efficiency of maintenance.

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The utility shall be responsible for all department costs associated with such attachments. This includes, but is not limited to, additional design time, increased bridge deck thickness, and future bridge maintenance (painting and inspection).

B. INSTALLATION LOCATION REQUIREMENTS

When a utility facility is attached to a structure, the installation shall be located:

1. Beneath the structure floor.
2. Inside the outer girders or beams or within a cell, and
3. At an elevation above low superstructure steel or masonry which would not inhibit bridge inspections or repairs.

A utility facility may be located within the structure's deck for new construction or deck reconstruction projects if the utility notifies the department in advance of or while the structure is being designed.

C. INSTALLATION OPENINGS

The openings created in the bridge abutments to allow passage of the permitted facility shall be of the minimum size necessary.

1. The opening in the abutment around the permitted facility shall be completely filled to seal the opening and effectively preclude the leakage of any moisture or backfill material through the abutment.
2. If the utility sleeves the facility through the abutment, the sleeve shall be tight-sealed into the abutment. Any space between the sleeve and the facility it encloses shall be sealed.

CONSTRUCTION REQUIREMENTS

A. PERMIT AT JOB SITE

When a permit is required, a complete copy of the permit shall be in possession of the utility work forces, or the contract forces under utility control, at all times when utility work is being performed within the right-of-way.

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B. USE OF HIGHWAY MEDIAN

Any use of a highway median is prohibited unless specifically authorized by a permit.

C. USE OF TEMPORARY GUARD POLES

No guard pole shall be set within the right-of-way unless specifically authorized by the permit. By definition, a guard pole is used to prevent aerial lines from falling onto the traveled way. Any guard poles permitted in the clear zone shall comply with Location Requirements of this policy.

D. UNEXPECTED FIELD CONDITIONS

Any modification of the terms of the approved permit to meet changed or unexpected field conditions shall require prior approval from the department.

E. BLASTING

Any blasting on the right-of-way is prohibited unless specifically authorized by the permit.

F. VEGETATION

No tree or shrub shall be cut, trimmed, or damaged to facilitate the installation of a newly permitted facility unless specifically authorized by the permit.

When the removal of a tree is permitted, the stump shall be removed and the hole properly backfilled or cut flush with the ground upon approval from the department.

G. SURVEY MARKERS

No department survey (e.g. right-of-way marker, benchmark, etc.) marker shall be disturbed unless prior approval has been obtained from the department. In addition, other survey markers (e.g. USGS, County, etc.) located in department right-of-way shall not be disturbed unless prior approval is obtained from their owners(s).

The department at the expense of the permittee shall restore any department survey marker that is disturbed, removed, or destroyed. (Reference: sec. 59.635 and sec. 236.32, Stats.)

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No U.S. government section corners may be disturbed without notifying the county surveyor's office. Registered surveyor at the utility's expense will restore any private survey corners disturbed that are documentable by recorded survey.

H. COMPLETION NOTICE

Upon completion of permitted work and restorations, written notice shall be filed within 10 calendar days with the county highway commissioner. The department will issue acceptance or rejection of the work within 10 working days of the completion notice. Failure by the department to respond will constitute acceptance of the installation. This is contingent on the utility's ability to provide proof of the department's receipt of the completion notice. FAX message confirmation is acceptable proof of receipt.

TRAFFIC CONTROL

A. AUTHORITY

All utility work performed on County Trunk Highways shall abide by:

1. The specific provisions within this section.
2. The six traffic control diagrams as shown on the following pages, and
3. The current Wisconsin Manual on Uniform Traffic Control Devices (MUTCD) and any supplements thereto.

The standards set forth in the Wisconsin MUTCD are minimum guidelines, and additional traffic control shall be used when necessary.

B. GENERAL POLICY

No utility work shall begin until all required warning signs, devices, and methods adequate to protect the public are in place and fully functional. These shall be maintained until all of the utility work is completed. All warning signs shall be reflectorized. In addition, all warning signs shall be removed, covered, turned, or laid flat when workers or workers' vehicles are not at the job-site/or when the signs' messages are not relevant.

All utility work shall be planned and prosecuted with full regard for safety and to keep interference with highway traffic to a minimum. On heavily traveled highways, utility work interfering with traffic should not be allowed during periods of peak traffic flow. Any such work allowed shall be planned so that closure of intersecting streets, road approaches, or

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other access points is minimized.

All operations shall be performed without obstructing or closing all or any part of any highway traffic lanes unless the department approves it and proper traffic control is specified.

All barricades, barrels, and cones used as traffic control devices during nighttime operations shall be, at a minimum, reflectorized with orange Type H reflective sheeting as defined in the current edition of the department's Standard Specifications for Road and Bridge Construction.

C. TRAFFIC CONTROL SELECTION

1. Factors

When selecting the appropriate traffic control, consideration shall be given to such factors as:

- a) Physical characteristics of the road.
- b) Available site distance.
- c) Traffic volume.
- d) Time of day.
- e) Posted speed limit.
- f) Weather conditions.
- g) Light conditions.

2. Long Term Duration

All stationary daytime utility work, which takes longer than 15 minutes to perform, shall utilize the six traffic control diagrams. The department shall require a more extensive traffic control plan if any of the following situations occur:

- a) Utility work performed during nighttime hours.
- b) Traffic control which is required overnight to protect the work zone(s) during

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non-work times.

- c) Utility work performed in a continuously moving work zone. This excludes moving from one stationary work zone to another.
- d) Utility work which cannot be adequately protected by using the six traffic control diagrams (e.g. at or near intersections).

3. Short Term Duration

Daytime utility work that will be completed in 15 minutes or less usually will not require the use of a formal traffic control plan or the six traffic control diagrams. The utility is still responsible for providing traffic control adequate to protect public safety.

As part of this traffic control, all utility vehicles shall have their high intensity flashing (strobe or revolving) and hazard warning lights operating and should have traffic cones placed behind them. Additional traffic control such as guard vehicles and impact attenuators may also be utilized.

WORK SITE SAFETY

A. GENERAL POLICY

The utility is responsible to assure that the work site is secure against any hazard to the public at all times until all of the work is completed. Vehicles, equipment and materials, which are in active use at the work site, shall be regulated by the utility as to assure consistently safe conditions.

Sheeting, shoring, bulkheading and temporary or permanent concrete barrier, etc., may be ordered by the department if considered necessary to protect the highway and traveling public.

B. EQUIPMENT\MATERIAL STORAGE

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Utility hardware or equipment which is located at the work site but not in immediate (same day) use should be stored beyond the clear zone and near the right-of-way line.

C. VEHICLE\EQUIPMENT VISIBILITY

Vehicles and equipment shall have their high intensity flashing (strobe or revolving) and hazard warning lights operating when they are within the clear zone during work operations.

D. INDIVIDUAL CONDUCT

All department, county, utility, and contractor personnel who are out of their vehicle and within the right-of-way should wear retro-reflective safety vests at all times. During daytime hours only, the use of a highly visible, non-reflectorized shirt or jacket is acceptable in lieu of a safety vest. Colors commonly used for these garments include, but are not limited to, orange, lime-green, and yellow-green.

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SPECIAL PROVISIONS

A. TRENCHED CONSTRUCTION

Trenched construction and backfill shall provide for the:

1. Restoration of the structural integrity of the highway facility (see appendix).
2. Security of the facility against deformation likely to cause leakage.
3. Assurance against the trench entrapping excessive moisture or becoming a drainage channel, and
4. Assurance against highway drainage being blocked by the backfill.

When necessary, trenches shall be backfilled with pervious material and necessary outlets shall be provided to prevent entrapment of water.

The utility installation shall conform to the department's applicable Standard Specifications for Road and Bridge Construction, current edition, for earthwork, culverts or other utility work within the right-of-way.

The department may require that backfill and repaving be performed by its forces or under its direction at the expense of the utility.

B. UNTRENCHED CONSTRUCTION

Untrenched construction shall be required for all underground utility crossings of all highways that have a paved surface and are open to traffic unless specifically authorized in the permit.

Untrenched installation of utility facilities may be accomplished by tunneling, driving, coring and/or dry boring. Wet boring within the highway shall be prohibited unless specifically authorized in the permit.

Boring shall result in a close fit to the facility being installed. Untrenched construction shall, as a minimum, extend beneath the entire highway prism (from toe of inslope to toe of inslope or from back of curb to back of curb). Ground openings or pits for such work should be located outside of the clear zone and shall not interfere with highway drainage.

When specifically authorized by the department, the extent of the untrenched crossings may be reduced or eliminated where such construction methods are impractical or physically restricted by terrain.

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C. NON-METALLIC LINES

Any non-metallic pipe, cable, or other kind of utility line that lacks a continuous and integral metallic component capable of detection by locating instruments shall be accompanied in its location by a continuous detectable metallic tracer wire or a metallic tape.

D. CASING

Where crossings by underground lines are encased in protective conduit or duct, the encasement shall extend at least to the toe of the slope or ditch lines. On curbed sections, it shall extend at least outside the outer curbs.

CLEANUP AND RESTORATION

A. WORK SITE CLEANUP

All debris, refuse, and waste resulting from the utility's activities shall be removed from the site and motorists' view unless otherwise provided by the permit. Burning of cuttings, brush, or other debris shall not be permitted within the limits of the right-of-way.

All replaced poles shall be completely removed from the highway. No replaced pole shall be allowed to remain, in whole or in part, and it shall not be sawed off. The pole's shall be properly backfilled and compacted. All anchor rods shall be removed or cut off one foot below ground level.

B. RESTORATION OF HIGHWAY

The utility shall be responsible for prompt restoration of the highway.

Any curb, gutter, pavement, sidewalk, driveway, gravel base, ballast, shouldering material, or other element of the highway disturbed by the permitted works shall be restored in kind to the qualities, grades, compactions and conditions at least equal to those prevailing prior to the permitted work operations and in a manner satisfactory to the department. Section 96.95 of the appendix shall be used as a guide for back-filling excavation operations.

Failure of the utility to make prompt and satisfactory restorations of the highway may be cause for the department to arrange for restoration by others at the utility's expense.

Any subsequent heaving, settlings, or other faulting attributable to the permitted works shall be repaired in a manner satisfactory to the department at the utility's expense.

Any turfed area of the highway disturbed by the permitted works and operations shall be restored with topsoil having a depth of not less than 100 millimeters (four inches), and

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reseeded to perennial grass, or sodded to the satisfaction of the department. The restoration shall be performed within one week after completion of the facility installation. Exceptions may be allowed (e.g. in the case of bad weather) with prior approval from the department. If, in the opinion of the department, the permitted works or facilities are found to obstruct highway drainage, unduly increase the difficulty of highway maintenance, or in any other manner adversely affect a highway interest, the utility shall, upon notice, cure the fault as directed and restore the highway facility to the satisfaction of the department.

COMMUNICATIONS

A. STANDARDS

The minimum standards for design, construction and operation of the utility facilities shall be those embodied in the Wisconsin Administrative Code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances, or laws of governmental agencies having jurisdiction are more restrictive, they shall govern. When neither the Wisconsin Administrative Codes nor the local governmental regulations apply, the communication facility shall at least conform to the currently applicable National Electrical Safety Code.

B. TYPE OF CONSTRUCTION

1. Single Pole

Any longitudinal installations of overhead lines within the right-of-way should generally be limited to single pole type of construction.

2. Joint Use

Joint use single pole construction shall be desirable:

- 1.** At locations where more than one utility or type of facility is involved.
- 2.** When the right-of-way widths approach the minimum needed for safe operations or maintenance requirements.
- 3.** When separate installations require extensive removal or alteration of trees.

C. DOWN GUY LOCATIONS

Guy wires to ground anchors and other supporting or bracing devices shall not be placed between a pole and the traveled way where they encroach upon the clear zone.

D. MAINTENANCE ACTIVITIES

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Selected maintenance and other types of activities are considered minor in nature. These selected maintenance activities shall be allowed to be performed without an additional permit. However, should any of these activities significantly impact the free flow of traffic on any highway (closure of a travel lane, diversion of traffic etc.), a permit shall first be obtained from the department.

E. NO ADDITIONAL PERMIT REQUIRED

1. Repair of overhead service wire.
2. Repair of overhead cable and terminal hardware, two spans or less.
3. Replace pole, same location, and maximum of 10 poles per 8-kilometer (5-mile) section.

Note: Once a new pole is installed, all attached facilities (electric, telephone, CATV, etc.) shall be transferred to the new pole in a timely manner. The old pole shall then be completely removed in accordance with “Cleanup and Restoration” section of this policy.

4. Locate buried cable.
5. Stake route for proposed buried cable.
6. Connect and test wiring at buried cable pedestal locations.
7. Crossarm, bracket, and hardware repair/replacement.
8. Add anchor, guy, or brace between pole and right-of-way line or no closer to traveled way than pole.
9. Trench a pole to maintain or increase roadside clearance.
10. Repair or replacement of overhead conductor, 2 spans or less.
11. Line patrolling.
12. Inspection of manholes (includes water removal, cable tagging, and minor modifications, etc.).

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13. Electrolysis surveys.
14. Test for location of underground lines.
15. Paint poles, towers, or crossarms.
16. Straighten pole, crossarm, or brace.
17. Test or treat existing pole.
18. Remove debris from overhead line.
19. Repair or add grounds.
20. Resag, reattach, or rearrange conductor.
21. Repair cable bonding.
22. Survey lines.
23. Replace pole tags and signs.
24. Reinforce existing pole.
25. Mark location of proposed pole; proposed cable.
26. Grass cutting or snow plowing.
27. Minor repair of lines (installation of buries, splices, etc.).
28. Sign and marker installation/replacement.
29. Replace/remove line in existing duct.

ELECTRIC

A. STANDARDS

The minimum standards for the design, construction and operation of the utility facilities

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shall be those embodied in the Wisconsin Administrative Code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances, or laws of governmental agencies having jurisdiction are more restrictive, they shall govern. When neither the Wisconsin Administrative Codes nor the local governmental regulations apply, the electrical power facility shall at least conform to the currently applicable National Electrical Safety Code. All work must conform to applicable PSC Standards.

B. ADDITIONAL PERMIT INFORMATION

For transmission type of installations, the permit shall specify the proposed operating voltage or voltages.

C. TYPE OF CONSTRUCTION

1. Single Pole

Any longitudinal installations of overhead lines on the right-of-way should generally be limited to single pole type of construction.

2. Joint Use

Joint use single pole construction shall be desirable:

1. At locations where more than one utility or type of facility is involved.
2. When the right-of-way widths approach the minimum needed for safe operations or maintenance requirements.
3. When separate installations require extensive removal or alteration of trees.

D. DOWN GUY LOCATIONS

Guy wires to ground anchors and other supporting or bracing devices shall not be placed between a pole and the traveled way where they encroach upon the clear zone.

E. MAINTENANCE ACTIVITIES

Selected maintenance and other types of activities are considered minor in nature. These selected maintenance activities shall be allowed to be performed without an additional permit. However, should any of these activities be performed on facilities located within

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freeway right-of-way (except #37) or significantly impact the free flow of traffic on any other highway (closure of a travel lane, diversion of traffic, etc.), a permit shall first be obtained from the department.

F. NO ADDITIONAL PERMIT REQUIRED

1. Switching.
2. Fuse replacement.
3. Transformer replacement.
4. Crossarm, bracket, and hardware repair/replacement.
5. Add anchor, guy, or brace between pole and right-of-way line or no closer to traveled way than pole.
6. Trench a pole to maintain or increase roadside clearance.
7. Replace pole, same location, and maximum of 10 poles per 8-kilometer (5-mile) section.

Note: Once a new pole is installed, all attached facilities (electric, telephone, CATV, etc.) shall be transferred to the new pole in a timely manner. The old pole shall then be completely removed in accordance with the “Cleanup and Restoration” section of this policy.

8. Repair or replacement of overhead conductor, 2 spans or less.
9. Line patrolling.
10. Inspection of manholes (includes water removal, cable tagging, minor modifications, etc.).
11. Electrolysis surveys.
12. Test for gas.
13. Test for location of underground lines.

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14. Paint poles, towers, or crossarms.
15. Straighten pole, crossarm, or brace.
16. Test or treat existing pole.
17. Clean insulators.
18. Remove debris from overhead line.
19. Repair or add grounds.
20. Resag, reattach, or rearrange conductor.
21. Sample or test insulating oil.
22. Repair cable bonding.
23. Install or remove transformer or regulator.
24. Survey lines.
25. Replace outdoor lighting bulbs and cleaning glass.
26. Repair or replace outdoor lighting control.
27. Reset time clock or control switch.
28. Replace pole tags or signs.
29. Reinforce existing pole.
30. Mark location of proposed pole; proposed cable.
31. Grass cutting or snow plowing.
32. Sign and marker installation/replacement.
33. Sign and marker installation/replacement.

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34. Minor repair of lines (splice, etc.).
35. Replace/remove line in existing ducts.
36. Repair or replace overhead service.
37. Reading service meters. (Access from expressway or freeway shoulders is allowed during non-peak rush hours only.)

FLUIDS AND GASES

A. STANDARDS

The minimum standards for design, construction and operation of the utility facilities shall be embodied in the Wisconsin Administrative Code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances or laws of governmental agencies having jurisdiction are more restrictive, they shall govern.

In addition to the Wisconsin Administrative Codes and local governmental regulations, the utility installations shall at least meet the following requirements:

1. Water lines shall conform to the currently applicable specifications of the American Water Works Association and the Standard Specifications for Water and Sewer Construction in Wisconsin.
2. Pressure pipelines shall conform to the currently applicable requirements of Title 49, Code of Federal Regulations of the Office of Pipeline Safety.
3. Liquid petroleum pipelines shall conform to the currently applicable recommended practice of the American Petroleum Institute for pipeline crossings under railroads and highways.
4. Sanitary and storm sewers shall conform to the currently applicable specifications of the Standard Specifications for Water and Sewer Construction.

B. IRRIGATION AND DRAINAGE PIPES, DITCHES AND CANALS

Irrigation and drainage facilities installed across the right-of-way generally shall be designed and constructed in accordance with the Wisconsin Department of Transportation's specifications as shown in chapter 16, Standard Detail Drawings, of the Facilities

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Development Manual. Appurtenances, which would constitute a hazard to traffic, shall not be permitted within the clear zone and should be located outside of the right-of-way. Where ditch rider roads are adjacent to ditches or canals that cross the highway, consideration shall be given to safety, traffic, operations, and economic features when providing for the continuity of such road.

C. REQUIREMENTS FOR APPURTENANCES

Vent standpipes are not required for casings, but when used, the vent pipes shall be located and constructed to not interfere with maintenance of the highway nor be concealed by vegetation. These pipes should stand near a fence or the right-of-way line.

D. SPECIAL TREATMENT OF PIPELINES

1. General Policy

Special treatment of pipelines beneath highways, including interstate highways and other freeways and including any median, generally shall not be required provided the pipe would be installed by jacking and/or dry boring the carrier pipe to an essentially snug fit.

2. Special Treatment

The department shall require special treatment such as casing, cathodic protection, thickened wall carrier pipe, coating and wrapping, concrete sleeves, or caps of particular pipe crossings if, in the determination of the department, such installation shall be more protective of the highway or of the safety and convenience of the traveling public. Some examples of locations where special treatment may be required include, but are not limited to, the following:

- a) Locations where a pipeline (whether crossing or a portion of pipe paralleling the highway) would pass in close proximity to a substructural part of a highway structure. This refers to pipes underground and not to pipes suspended on a highway structure, the latter of which generally will not require special treatment.
- b) Locations where a pipeline would pass beneath the slope wall below a highway structure.
- c) Locations where restraints inhibit a pipe from being placed or remaining at the depth required by code.
- d) Locations where the ground conditions are known to be particularly unstable.
- e) Locations where restraints inhibit a water pipe from being placed or remaining below the frost line.

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E. ATTACHMENT TO STRUCTURES

Pipelines that will be attached to a highway structure shall not exceed a maximum internal pressure of 10.6 kg/cm² (150 P.S.I.G.). Pipelines carrying pressures in excess of 10.6 kg/cm² (150 P.S.I.G.) shall be considered only if no other alternative location off the structure is feasible.

F. MAINTENANCE ACTIVITIES

Selected maintenance and other types of activities are considered minor in nature. These selected maintenance activities shall be allowed to be performed without an additional permit. However, should any of these activities be performed on facilities located within freeway right-of-way or significantly impact the free flow of traffic on any other highway (closure of a travel lane, diversion of traffic, etc.) A permit shall first be obtained from the department.

G. NO ADDITIONAL PERMIT REQUIRED

1. Leak surveys (vehicle or walk patrol) line patrolling.
2. Pressure surveys (gauge check or setting of charts).
3. Odor checks.
4. Regulator maintenance (change-out, lockup check, spring change, etc.).
5. Valve maintenance (activation check, grease, replacement, etc.).
6. Line purging.
7. Exposed line survey and maintenance (on bridges, exposed valve assembly, etc.).
8. Line locates and facility marking.
9. Up-rating pressure of main (monitoring).
10. Abandonment of main, services, etc.
11. Pit (vault) maintenance (water removal, painting, minor modifications.).
12. Minor cutouts and repair of lines (installation of clamps, welds, etc.).
13. Cathodic protection checks and related repair.
14. Sign and marker installation/replacement.

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15. Relief vent line inspections.
16. Maintenance and repair of telemetering equipment.
17. Land surveying.
18. Painting above ground facilities.

The department reserves the right to modify the utility's permit application as necessary to protect the highway interests. The modifications may be more restrictive than what was originally proposed. The permit, as approved, shall embody the conditions to which the utility shall comply in order to use and/or occupy the right-of-way.